

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

|                             |   |                                 |
|-----------------------------|---|---------------------------------|
| MARTIN TORRES, individually | ) |                                 |
| and on behalf of all others | ) |                                 |
| similarly situated,         | ) |                                 |
|                             | ) |                                 |
| Plaintiff,                  | ) | No. 19-cv-2887                  |
|                             | ) |                                 |
| v.                          | ) | Hon. Virginia M. Kendall        |
|                             | ) |                                 |
| EVOLENT HEALTH LLC,         | ) | Magistrate Hon. Sheila Finnegan |
|                             | ) |                                 |
| Defendant                   | ) |                                 |

**PLAINTIFF’S UNOPPOSED MOTION FOR APPROVAL OF SETTLEMENT UNDER  
THE FAIR LABOR STANDARDS ACT, FOR APPOINTMENT OF SETTLEMENT  
ADMINISTRATOR, FOR APPROVAL OF SERVICE AWARD, AND  
FOR APPROVAL OF ATTORNEYS’ FEES AND COSTS**

Plaintiff Martin Torres respectfully requests that the Court enter an Order, in the form attached hereto as Exhibit A, approving the Parties’ Joint Stipulation of Settlement (“Settlement Agreement” or “Agreement”) as a fair and reasonable resolution of a bona fide dispute under the Fair Labor Standards Act.

As demonstrated in the accompanying Supporting Memorandum of Law, the Parties’ settlement constitutes the resolution of a bona fide dispute between the parties and is the result of arm’s-length negotiations, conducted by experienced counsel for all Parties, after litigating this case for one year and attending mediation with an experienced wage-and-hour mediator. The Settlement resolves the claims of 257 Plaintiffs who have previously filed consent forms to join the lawsuit, and the terms of the settlement are reasonable, appropriate, and fair to all Parties.

As a result, Plaintiff respectfully requests that the Court approve the Settlement and permit the Parties to effectuate its terms using the forms and procedures set forth in their Agreement. Plaintiff also asks, consistent with the Agreement, that the Court appoint Analytics Consulting LLC as the third-party Administrator and approve the following payments: (i) Service Award to Named Plaintiff Kelly in the amount of \$10,000.00; (ii) Attorneys’ Fees in the amount of \$230,000.00; and (iii) Plaintiff’s Litigation Expenses in an amount not to exceed \$14,386.28. For

these reasons and those stated in the accompanying Memorandum, the Court should approve the Parties' Settlement Agreement. The Parties also request that the Court dismiss the action without prejudice, and the Parties request that the dismissal convert to a dismissal without prejudice ninety (90) days after Defendant has fully funded the Settlement Account with the Settlement Fund.

Dated: October 1, 2020

Respectfully submitted,  
Martin Torres, individually and on behalf of a  
collective and class of persons similarly situated.

/s/ Thomas M. Ryan  
One of Plaintiff's attorneys

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**CERTIFICATE OF SERVICE**

I hereby certify that on October 1, 2020, I transmitted the attached Motion and Memorandum for Approval of the Parties' Settlement to counsel for Defendant via ECF to the following:

Michael R. Phillips  
Melissa Marie Weiss  
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/s/ Thomas M. Ryan  
One of Plaintiff's Attorneys